

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ALTA PARTNERS, LLC,

Plaintiff,

- against -

BRC INC.,

Defendant.

24-CV-3741 (AT) (RWL)

ORDER

ROBERT W. LEHRBURGER, United States Magistrate Judge.

This order addresses the dispute concerning search terms proposed by Alta. (See Dkts. 42-43.) The Court will schedule a conference for early January. In the meantime:

1. By December 22, 2024, BRC shall provide to Alta either (a) confirmation that the Hit Report appearing at Dkt. 42-8 is (i) limited to the timeframe April 1, 2021 through May 31, 2022, (ii) includes only documents from BRC's five custodians, and (iii) excludes documents BRC has produced; or (b) a revised Hit Report that conforms to those requirements.

2. The parties shall then further meet and confer.

3. To inform that meet and confer, the Court advises that if the “Unique Hits” column of the Hit Report represents the actual number of documents that would require review (as opposed to the other two columns which may reflect duplicates, documents already produced in *Tang*, etc.), the Court is inclined to require the terms as proposed be run with the following qualifications: (1) Term 3 – delete “OR opinion”; (2) Term 6 – add a delimiter to “continental” to narrow the scope; (3) Term 7 – delete “OR Tang”; (4) Term 12 – add a delimiter to “@icrinc.com” to narrow the scope. In addition, if both (i) the Hit

Report reflects the results after including the limiting requirements set forth in item 1 above, and (ii) the Unique Hits column is the actual number of documents that would require review, the Court would be inclined to also narrow Term 9 and further narrow Term 3.

4. No later than three days before the conference referred to above, the parties shall file a joint letter reporting on status of the dispute.

SO ORDERED.

A handwritten signature in black ink, appearing to read 'R. Lehrburger', is written over a horizontal line.

ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE

Dated: December 18, 2024
New York, New York

Copies transmitted this date to all counsel of record.